

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

DARRYL STEVENSON	]	
Plaintiff,	]	
	]	
v.	]	No. 3:10-0053
	]	Judge Trauger
JEFF LONG, et al.	]	
Defendants.	]	

O R D E R

On March 28, 2011, the Court entered final judgment in this case. Docket Entry No.93. Shortly thereafter, the plaintiff filed a Notice of Appeal (Docket Entry No.100) challenging the final judgment.

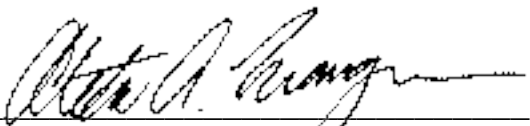
Presently pending before the Court is plaintiff's *pro se* Motion to Vacate Judgment (Docket Entry No.121).

Generally, "the filing of a notice of appeal confers jurisdiction on the court of appeals and divests the district court of control over those aspects of the case involved in the appeal". Marrese v. American Academy of Orthopaedic Surgeons, 470 U.S. 373, 379 (1985); Pittock v. Otis Elevator Co., 8 F.3d 325, 327 (6<sup>th</sup> Cir.1993).

Here, the plaintiff's Motion to Vacate Judgment wholly involves those matters currently being raised and considered on appeal. The Court discerns no basis for exercising jurisdiction

over the merits of plaintiff's Motion to Vacate Judgment. Accordingly, plaintiff's Motion to vacate Judgment is hereby DENIED for want of jurisdiction.

It is so ORDERED.



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Aleta A. Trauger  
United States District Judge